

R E M A R K S

By this Amendment the specification has been amended to delete references to specific claims, claim 1 has been amended to include the features of claims 2 and 3 (now cancelled), claims 4-10, 12-17 and 19-23 have been amended regarding their introductory wording, and claims 10, 17 and 23 have been amended to overcome the examiner's formality rejection under 35 U.S.C. 112. Entry is requested.

In the outstanding Office Action the examiner has rejected claims 1-23 under 35 U.S.C. 102(b) as being anticipated by Branemark (EP 0599794A2).

The applicants assert that this rejection is not correct.

Branemark discloses a substantially cylindrical anchoring element for implantation in bone tissue intended to support prostheses. The fixation portion disposed at the basis and the fixation portion disposed at the apex have different diameters in relation to each other. The fixation portion disposed at the basis does not have the form of a truncated cone, but is cylindrical or essentially cylindrical. It cannot to be concluded from Fig. 3 that the fixation portion disposed at the basis has the form of a truncated cone, nor is this disclosed anywhere else in the specification. The term "substantially cylindrical" used in Branemark must be interpreted to define an object that is cylindrical over the major part of the extension of the object, but may allow for smaller portions which are not cylindrical, for example when the object is provided with threads. The term "substantially cylindrical" can also be considered to cover cases

where the object due to inaccuracies in the production process deviates marginally from the cylinder shape. However, a cone, or a truncated cone, is qualitatively distinguished from being cylindrical and does not fall within in the term "substantially cylindrical" or "essentially cylindrical". A truncated cone is not cylindrical. Thus, applicants' claim 1 is not anticipated by Branemark. The advantageous effects of the anchoring element as claimed in claim 1 can be found in the specification of the present application.

Branemark discloses slits 7, 8 at the apex of the anchoring element. However, he does not disclose a recess with a distinct edge providing a groove forming cutting unit which is included in the threaded fixation portion disposed at the basis of the anchoring element as claimed in applicants' claim 11. Thus, claim 11 is not anticipated by Branemark. The advantageous effects of the anchoring element as claimed in claim 11 can be found in the specification of the present application.

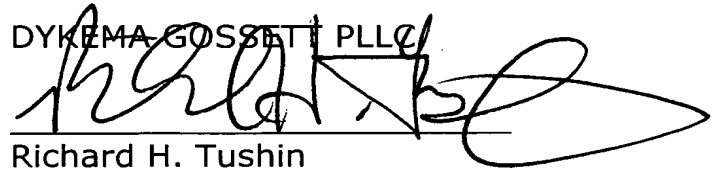
In Branemark, the fixation portion disposed at the apex does not have the form of a truncated cone. It cannot be concluded from Fig. 3 that the fixation portion disposed at the apex has the form of a truncated cone, and nowhere else in the text of the specification of Branemark is this mentioned. Thus, claim 18 is not anticipated by Branemark. The arguments in connection with amended claim 1 also apply for claim 18. Nor does Branemark describe an anchoring element which in all, or entirely, has the form of a truncated cone.

The examiner's prior art rejection should be withdrawn and the
presented claims allowed.

Respectfully submitted,

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